<u>Remarks</u>

The present amendment responds to the Official Action dated May 19, 2004. The

Official Action objected to the drawings. The Official Action objected to the specification. The

Official Action objected to claims 1-16 due to informalities noted by the Examiner. The Official

Action rejected claims 7-11 under 35 U.S.C. 112, first paragraph. The Official Action rejected

claims 7-11 under 35 U.S.C. 112, second paragraph. The Official Action rejected claims 1-16

under 35 U.S.C. 103(a) as unpatentable over Briechle U.S. Patent No. 5704049 ("Briechle").

These objections and grounds of rejection are addressed below following a brief discussion of the

present invention to provide context. A proposed drawing correction is submitted herewith. The

specification has been amended. Claims 1-4, 7, 8, 12-14 and 16 have been amended to be more

clear and distinct. Claims 1-16 are presently pending.

<u>The Present Invention</u>

A system according to an aspect of the present invention comprises a host computer

communicating with a plurality of electronic shelf labels (ESLs). Each ESL includes registers or

other similar memory space for storing information. Information for storage in the ESL registers

is communicated to each ESL by the host computer. The host computer maintains awareness of

the information to be stored in each ESL register. Whenever the host computer transmits an

initial message to the ESL, the host computer awaits a response from the ESL. When a response

is received from the ESL that is interpreted as a positive acknowledgement, a verification

message is sent to the ESL to test the content of the ESL's registers. The host computer awaits a

response for to the verification message from the ESL. If a response is received, it is evaluated

to determine if it indicates that the contents of the ESL's registers match the expected values as

maintained by the host computer. If the response to the verification message indicates a match,

the initial response is logged as successful.

The Objection to the Drawings

The Official Action objected to the drawings as failing to show the claimed limitation

"providing an error indication of the number exceeds a threshold" recited in claim 16. Claim 16

has been amended to read to "providing an error indication if the number exceeds a threshold."

In addition, a proposed drawing correction consistent with this claim which is part of the original

specification is submitted herewith, and the specification has been amended to describe the

drawing as corrected, again consistent with this claim. The objection to the drawings has

therefore been overcome and should be withdrawn.

The Objections to the Specification

The Official Action objected to the Abstract due to informalities noted by the Examiner.

With the present amendment to the specification, this objection has been overcome and should be

withdrawn.

The Official Action objected to the specification as lacking an enabling description for

claims 1-7 in reference to the limitation of "controlling the content and formatting" recited in the

independent claim 7. This limitation is not recited in claim 1, and with the present amendment to

claim 7, this objection has been overcome and should be withdrawn.

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The Objection to the Claims

The Official Action objected to claims 1-16 due to informalities noted by the Examiner. With the present amendments to claims 1, 7 and 12, this objection has been overcome and should be withdrawn.

The Section 112 Rejections

The Official Action rejected claims 7-11 under 35 U.S.C. 112, first and second paragraphs, as lacking an enabling description and as failing to distinctly point out the claimed invention. In light of the present amendment to claim 7, this ground of rejection has been overcome and should be withdrawn. Enabling disclosure for this claim appears at page 6, line 21 through page 7, line 5. This discussion describes the content of the ESL memory, which includes display registers containing actual text and other registers containing data controlling parameters related to the display of the text. The claim, as amended, more clearly recites that it is information in the registers that is displayed and that is used to control the display of information.

The Art Rejections

All of the art rejections hinge on the application of Briechle standing alone. As addressed in greater detail below, Briechle does not support the Official Action's reading of it and the rejections based thereupon should be reconsidered and withdrawn. Further, the Applicant does not acquiesce in the analysis of Briechle made by the Official Action and respectfully traverses the Official Action's analysis underlying its rejections.

The Official Action rejected claims 1-16, under 35 U.S.C. 103(a) as unpatentable over

Briechle. In light of the present amendments to claims 1, 7, and 12, this ground of rejection is

respectfully traversed.

Claim 1, as amended, claims transmitting an initial message from a host computer to an

ESL, and waiting for a response to the initial message. Claim 1 claims that if a response to the

initial message is interpreted as a positive response, a verification message is transmitted to

verify the contents of the ESL's registers, followed by waiting for a response to the verification

message. Claim 1 further claims that if the response to the verification message indicates that the

contents of the ESL's registers match the expected contents as indicated by a host computer, then

the initial message is logged as successfully received. Briechle does not teach these limitations.

Briechle teaches management of subglobal and global commands to ESL's. Briechle

receives various responses to commands and evaluates the responses, for example by performing

CRC checks, in order to make sure that only one ESL responded to a command and the response

was received clearly. Briechle does not teach sending a verification message in order to evaluate

the contents of an ESL's registers and then examining the response to make sure that it indicates

that the contents of the ESL's registers match the expected contents. Briechle simply teaches that

the response from an ESL is properly received, and does not teach positive examination to

determine if it reflects correct content. In addition, Briechle does not teach following up a

positive acknowledgement with a verification message and response evaluation, as is claimed by

claim 1. Claim 1, as amended, therefore defines over the cited art and should be allowed.

Claim 7, as amended, claims a host computer system transmitting an initial message to an ESL, waiting for a response to the message, retransmitting the initial message if the response is a negative acknowledgement or no response is received, and transmitting a verification message to verify the contents of the ESL's registers if the response to the initial message is interpreted by the host computer as a positive acknowledgement. The host computer is operative to evaluate a response to the verification message to determine if the response indicates that the contents of the ESL's registers match the expected contents as maintained by the host computer. As noted above with respect to claim 1, Briechle does not teach sending a verification message to an ESL upon receiving a positive acknowledgement of an initial message and evaluating the response to the verification message in order to make sure that the contents of the ESL's registers match the expected contents. Claim 7, as amended, therefore defines over the cited art and should be allowed.
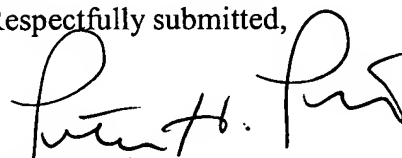
Claim 12, as amended, claims transmitting an initial message from a host computer to an ESL, the initial message containing data to be stored in one or more registers of an ESL. Claim 12 further claims that if the response is interpreted by the host computer as a positive acknowledgement that the initial message was received and the data correctly stored, a verification message is transmitted to verify the contents of the ESL's registers, followed by waiting for a response to the verification message. If the response to the verification message indicates that the contents of the ESL's registers match the expected contents as maintained by the host computer, the initial message is logged as successfully received. As noted above with respect to claim 1, Briechle does not teach sending a verification message to an ESL upon

receiving a positive acknowledgement of an initial message and evaluating the response to the

verification message in order to make sure that the contents of the ESL's registers match the

expected contents. Claim 12, as amended, therefore defines over the cited art and should be

allowed.

Conclusion

All of the presently pending claims, as amended, appearing to define over the applied

references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,

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